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FILED IN UNITED STATES DISTRICT
COURT, DISTRICT OF UTAH

MAR - 9 2010

D. MARK JONES, CLERK
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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

UNITED STATES OF AMERICA,

FELONY INFORMATION

Plaintiff,

VIOLATIONS: 2:10-CR-00195-TS

vs.

JOHANNES EUGENE HERBEN,

21 U.S.C. § 841(a)(1)
POSSESSION OF
METHAMPHETAMINE WITH
INTENT TO DISTRIBUTE

Defendant.

18 U.S.C. § 924(c)(1)
POSSESSION OF A FIREARM
IN FURTHERANCE OF A
DRUG TRAFFICKING CRIME

The United States Attorney charges:

COUNT I

On or about May 24, 2009, in the Central Division of the District of Utah,

JOHANNES EUGENE HERBEN,

the defendant herein, did knowingly and intentionally possess with intent to distribute 5 grams or more of methamphetamine, a Schedule II controlled substance within the meaning of 21 U.S.C. § 812, in violation of 21 U.S.C. § 841(a)(1), and punishable under

21 U.S.C. § 841(b)(1)(B).

COUNT II

On or about May 24, 2009, in the Central Division of the District of Utah,

JOHANNES EUGENE HERBEN,

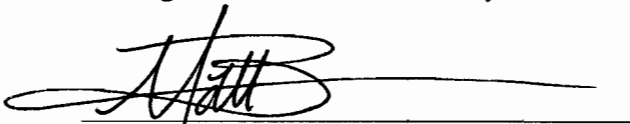
the defendant herein, did knowingly carry a firearm during and in relation to, and did knowingly possess a firearm, in furtherance of a drug trafficking crime, to wit: possession of methamphetamine with intent to distribute as alleged in Count I of this Indictment; to wit: a Colt .32 caliber pistol; all in violation of 18 U.S.C. § 924(c)(1).

NOTICE OF INTENTION TO SEEK CRIMINAL FORFEITURE

As a result of the offenses in Counts I and II, the defendant Johannes Eugene Herben shall forfeit to the United States pursuant to 21 U.S.C. § 853 and 18 U.S.C. § 924(d), any property used or, intended to be used, in any manner or part, to commit, or facilitate the commission of the violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 924(c), including but not limited to:

- Colt .32 caliber pistol

CARLIE CHRISTENSEN
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